

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE: PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE LITIGATION

MDL No. 1456
Master File No. 01-CV-12257-PBS
Judge Patti B. Saris

THIS DOCUMENT RELATES TO:
State of Iowa v. Abbott Laboratories, et al.

Subcategory Case No. 07-12141

and

and

The City of New York, et al. v

Subcategory Case No. 03-10643

Abbott Laboratories, et al.

**JOINT MOTION TO EXTEND DEADLINE FOR TAKING OF CERTAIN
FACT WITNESS DEPOSITIONS AND TO COORDINATE EXPERT DISCOVERY**

1. By agreement of the parties in these cases, certain fact discovery sought by the defendants from plaintiffs, State of Iowa, and the New York Department of Health has not been concluded.
2. The same defendants remain in the Iowa and the consolidated New York Counties cases.
3. Plaintiffs' counsel is the same in both cases.
4. The expert schedules established by the prior case management orders in these cases no longer promote the just, speedy, and inexpensive determination of these matters.
5. The parties have agreed to the following schedule for the conclusion of certain fact discovery and the coordination of expert discovery:

- a. All fact discovery sought by defendants shall be completed by January 31, 2011;
- b. Depositions of plaintiffs' experts shall be completed by February 15, 2011;
- c. Defendants shall serve expert reports and other materials in compliance with Fed. R. Civ. P. 26(a)(2)(B) by March 15, 2011; and
- d. Depositions of defendants' experts shall be completed by April 29, 2011.

WHEREFORE, the parties jointly move this Court to modify the established pre-trial dates to those shown above and on the attached proposed Case Management Order

Dated December 16, 2010

/s/ Joanne M. Cicala

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